

**STATE OF MICHIGAN
DEPARTMENT OF LABOR AND ECONOMIC GROWTH
OFFICE OF FINANCIAL AND INSURANCE SERVICES**

Before the Commissioner of Financial and Insurance Services

**Office of Financial and Insurance
Services,**

Petitioner,

v

**Case No. 05-463-L
Docket No. 2005-296**

Donald J. Nelligan, III,

Respondent.

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For the Petitioner:

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For the Respondent:

**Donald J. Nelligan III
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Howell, MI 48843**

**Issued and entered
this 18th day of April 2006
by John R. Schoonmaker
Special Deputy Commissioner**

FINAL DECISION

The Administrative Law Judge issued a Proposal for Decision dated March 6, 2006. She concluded that the Respondent violated various sections of the Insurance Code, including one establishing fiduciary duties upon insurance producers, and recommended that the Commissioner impose appropriate sanctions.

Neither party filed Exceptions. Petitioner submitted a letter dated March 27, 2006, stating that he did not plan on appealing any decision of the Commissioner respecting license revocation, but he would appeal if fines are imposed. He stated, "I do not want to fight this any longer."

The factual findings in the PFD are in accordance with the preponderance of the evidence and the conclusions of law are supported by reasoned opinion. The PFD is attached, adopted, and made part of this final decision.

In addition to the considerations above, it is important that the Respondent did not file exceptions to the Proposal for Decision. Michigan courts have long recognized that the failure to file exceptions constitutes a waiver of any objections not raised. *Attorney General v. Public Service Com'n*, 136 Mich.App. 52 (1984).

ORDER

Therefore, it is ORDERED that the Respondent's insurance producer license is revoked.